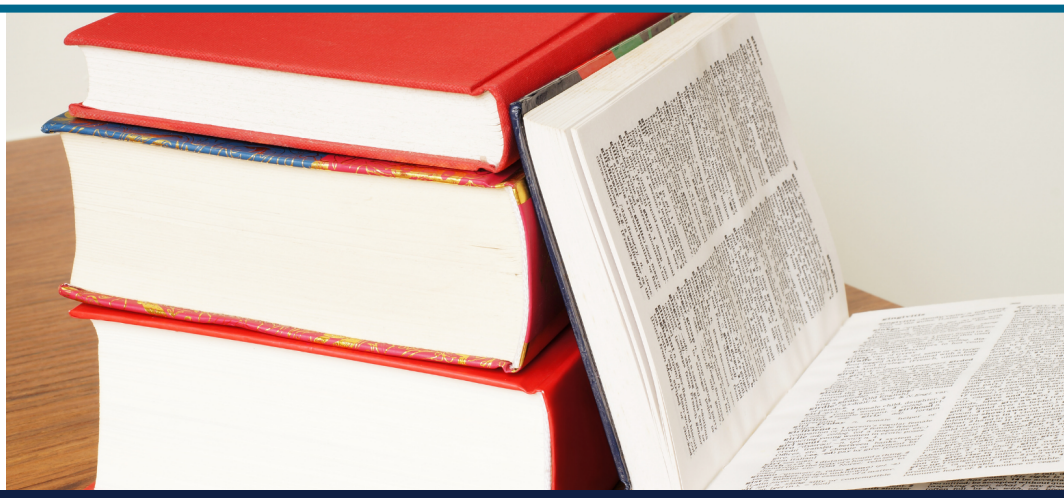
National Center for Homeless Education NCHE



BEST PRACTICES IN INTERAGENCY COLLABORATION BRIEF SERIES

Understanding and Navigating Federal Definitions of Homelessness

This National Center for Homeless Education (NCHE) brief

- explores key federal definitions of homelessness, including eligibility criteria and role groups authorized to determine eligibility;
- shares how relevant school and community partners can apply knowledge of federal definitions of homelessness in their daily work ("use cases"); and
- links to resources for more information throughout.

Briefs on additional homeless education topics are available on the resources page of the NCHE website.

INTRODUCTION AND CONTEXT

Multiple definitions of homelessness exist across U.S. federal statutes, including those used by programs administered by the U.S. Department of Education (ED), the U.S. Department of Housing and Urban Development (HUD), and the U.S. Department of Health and Human Services (HHS).

Understanding federal definitions of homelessness is essential for educators and community partners who serve children, youth, and families experiencing homelessness, as these definitions determine eligibility for various programs and services. While these definitions share common elements, they also contain important distinctions that impact who can receive specific types of assistance.

National Center for Homeless Education

U.S. DEPARTMENT OF EDUCATION DEFINITIONS AND USAGE

DEFINITION OF *HOMELESS*

The McKinney-Vento Homeless Assistance Act (McKinney-Vento Act) authorizes assistance for people experiencing homelessness, including housing interventions and supportive services. Subtitle VII-B of the McKinney-Vento Act is known as the act's education subtitle as it establishes educational rights and supports for children and youth experiencing homelessness (CYEH). Subtitle VII-B also establishes the definition of homelessness used by U.S. public schools, often referred to as the "education definition."

According to Section 725(2) of the McKinney-Vento Act, the term "homeless children and youths"—

A. means individuals who lack a fixed, regular, and adequate nighttime residence; and

B. includes—

   i. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

   ii. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

   iii. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

   iv. migratory children who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii).

DEFINITION OF *UNACCOMPANIED YOUTH*

Further, Subtitle VII-B of the McKinney-Vento Act defines *unaccompanied youth* as a homeless child or youth, according to the education definition described above, who is not in the physical custody of a parent or guardian (McKinney-Vento Act section 725(6)).

AGE CRITERIA

There are no age-specific criteria established in Subtitle VII-B of the McKinney-Vento Act, including for unaccompanied youth. If a child or youth is within the state's age range to qualify for public prekindergarten (Pre-K) through 12th grade and meets the education definition of *homeless*, the child or youth should be enrolled in school and served under the McKinney-Vento Act.

For CYEH who qualify for special education services under the Individuals with Disabilities Education Act (IDEA), the upper age limit varies depending on state law. While IDEA requires states to provide a free appropriate public education (FAPE) to eligible children and youth with disabilities until they either graduate with a regular high school diploma or reach the age of 21, some states extend this to age 22. For more information about the unique needs of students with disabilities experiencing homelessness, visit the NCHE *Special Education* webpage.

ELIGIBILITY AND PRIORITIZATION FOR SERVICES

If a child or youth meets the education definition of homelessness, the child or youth is eligible to receive all rights and services established under Subtitle VII-B of the McKinney-Vento Act. While the specific services provided may depend on the unique circumstances and needs of each child or youth, U.S. public schools must serve all CYEH under the McKinney-Vento Act's education subtitle.

DETERMINATIONS OF WHO MEETS THE DEFINITION: AUTHORIZED ROLE GROUP(S)

Under Subtitle VII-B of the McKinney-Vento Act, all local educational agencies (LEAs, often referred to as *school districts*) must designate an appropriate staff person to serve as the local homeless education liaison (local liaison) and carry out the duties of the local liaison as established in statute (McKinney-Vento Act section 722(g)(1)(J)(ii)). The local liaison is statutorily responsible for ensuring the identification of children and youth who meet the education definition of *homeless*. This may be done through outreach and coordination activities with other entities and agencies (McKinney-Vento Act section 722(g)(6)(A)(i)). A best practice is for local liaisons to train school-based points of contact to assist with eligibility determinations, though the local liaison retains ultimate responsibility for ensuring proper identification of eligible students.

DEFINITIONS USAGE

The education definition of homelessness is used by U.S. public schools and other federal programs whose authorizing statutes or regulations have adopted the education definition, including

- The Child Care Development and Block Grant Act (CCDBG) (Note: The CCDBG Act definition of homelessness is included in CCDBG regulations at 45 C.F.R. § 98.2.)
- The Child Nutrition and WIC Reauthorization Act
- The Higher Education Act of 1965, as amended
- The Improving Head Start for School Readiness Act of 2007
- The Individuals with Disabilities Education Act (IDEA)
- The Carl D. Perkins Career and Technical Education Act of 2006, as amended
- The Workforce Innovation and Opportunity Act (WIOA)

For more information on determining homelessness under the education definition, including eligibility for McKinney-Vento rights and services, visit the NCHE *Determining McKinney-Vento Program Eligibility* webpage.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT DEFINITIONS AND USAGE

DEFINITION OF *HOMELESS*

The McKinney-Vento Act authorizes assistance for people experiencing homelessness, including housing interventions and supportive services. The U.S. Department of Housing and Urban Development (HUD) administers multiple federal homeless response programs, each of which provides particular service interventions. Learn more about the types of services provided (called "program components") by federal homeless response programs by visiting HUD's *Continuum of Care (CoC) Program Eligibility Requirements* and *Emergency Solutions Grants (ESG) Requirements* webpages.

Title I of the McKinney-Vento Act establishes the definition of homeless used by key federal homeless response programs, often referred to as the "HUD definition." The HUD definition of *homeless* is divided into four categories.

CATEGORY 1:
Literally homeless
McKinney-Vento Act section 103(a); 24 C.F.R. § 578.3

An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

i. An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
ii. An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing); or
iii. An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided.

CATEGORY 2:
Imminent risk of homelessness
McKinney-Vento Act section 103(a); 24 C.F.R. § 578.3

An individual or family who will imminently lose their primary nighttime residence, provided that:

i. The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
ii. No subsequent residence has been identified; and
iii. The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;

CATEGORY 3:
Homeless under other federal statutes
McKinney-Vento Act section 103(a); 24 C.F.R. § 578.3

Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

i. Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
ii. Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
iii. Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
iv. Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

CATEGORY 4:
Fleeing/attempting to flee domestic violence
McKinney-Vento Act section 103(b); 24 C.F.R. § 578.3

Any individual or family who
(1) is experiencing trauma or a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation, including where the health and safety of children are jeopardized;
(2) has no other safe residence; and
(3) lacks the resources to obtain other safe permanent housing.

AGE CRITERIA

Given that HUD funds multiple homeless response programs and project types, age and other eligibility criteria vary depending on the project type and the state in which the project operates. For instance, most HUD-funded homeless response programs are open to individuals and families with household members of all ages who meet the HUD definition of homelessness. However, HUD-funded youth programs –which include the Youth Homelessness Demonstration Program (YHDP), Family Unification Program (FUP), and Foster Youth to Independence (FYI) initiative– focus on young people under the age of 25. Youth-serving projects must comply with relevant age parameters and licensing guidelines within the state in which the project operates. This may include state age parameters for being separated from a parent or guardian, consenting to receiving certain types of services while still a minor, and signing a lease. NCHE recommends checking with local homeless response partners to understand relevant age criteria for specific HUD-funded project types.

ELIGIBILITY AND PRIORITIZATION FOR SERVICES

Eligibility: For a person to qualify for most HUD-funded homeless response programs, the main criterion is that the person must meet category 1, 2, or 4 of the HUD definition of homeless (see Note regarding category 3 below for more information on category 3 of the HUD definition of homeless). Two noted differences include HUD-funded youth-serving projects, where a person must meet relevant age criteria, and permanent supportive housing, where at least one member of the household must have a disabling condition. NCHE recommends checking with local homeless response partners to understand relevant eligibility criteria for specific HUD-funded project types.

Prioritization: Requests for homeless response assistance often exceed the capacity of HUD-funded homeless response programs; as a result, many projects are unable to serve everyone who requests assistance and must prioritize individuals and families for services based on assessments of vulnerability and need. These assessments take place through the intake process of each CoC's coordinated entry system. Coordinated entry is a standardized process aimed at ensuring fair and equitable access to housing and services for people experiencing or at risk of homelessness. Download NCHE's *Coordinated Entry Processes: Building Mutual Engagement between Schools and Continuums of Care* brief for more information.

While HUD requires CoCs to implement an intake assessment and prioritization approach in keeping with the guidelines outlined in HUD's coordinated entry guidance memo (CPD-17-01), decisions on how a CoC will prioritize individuals and households for services are made at the individual CoC level. NCHE recommends checking with local homeless response partners to understand relevant community prioritization practices for specific HUD-funded project types.

DETERMINATIONS OF WHO MEETS THE DEFINITION: AUTHORIZED ROLE GROUP(S)

Neither the McKinney-Vento Act nor HUD mandates specific role groups who must determine who meets the HUD definition of homeless; rather, each HUD-funded homeless response project establishes its own policies and practices on authorized role groups. Eligibility determinations typically are made by coordinated entry system staff, case managers, and other homeless response project personnel.

Notably, the education subtitle of the McKinney-Vento Act authorizes school district local liaisons who have been trained on federal definitions of homelessness to determine that a child or youth attending school in their school district meets the HUD definition of *homeless* with no further action needed by HUD to make this determination (McKinney-Vento Act section 722(g)(6)(D)). While local liaisons are authorized to determine whether a child or youth meets the HUD definition of *homeless*, local homeless response projects maintain the authority to determine if a child, youth, or adult meets project-specific eligibility and prioritization criteria. Learn more about this local liaison authority in Questions L-4 and L-5 of the U.S. Department of Education's *Education for Homeless Children and Youths Program Non-Regulatory Guidance* (2018, pp. 38-39).

DEFINITIONS USAGE

The HUD definition of *homeless* is used by HUD homeless assistance programs, including the CoC program and the ESG program. The HUD definition of *homeless* is also used by the U.S. Department of Veterans Affairs' (VA) homeless programs.

Note regarding category 3: HUD must approve the use of CoC program funds to serve people experiencing homelessness under category 3 of its definition. To date, HUD has not authorized any CoC to serve category 3. People who qualify as homeless under category 3 may be served by the ESG program if they meet the required eligibility criteria for certain ESG components. See HUD's *Category 3: Homeless Under Other Federal Statutes* webpage for more information.

National Center for Homeless Education

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES DEFINITIONS AND USAGES

DEFINITION OF *HOMELESS*

The Runaway and Homeless Youth Act (RHYA) authorizes community-based projects to provide temporary shelter and wraparound services to youth who have run away from home or are experiencing homelessness. According to the RHYA section 387(3), the term "homeless youth" means an individual–

A. who is–
   i. less than 21 years of age, or, in the case of a youth seeking shelter in a [Basic Center Program], less than 18 years of age, or is less than a higher maximum age if the state where the center is located has an applicable state or local law (including a regulation) that permits such higher maximum age in compliance with licensure requirements for child-and youth-serving facilities; and
   ii. for the purposes of a [Transitional Living Program], not less than 16 years of age and either–
      I. less than 22 years of age; or
      II. not less than 22 years of age, as of the expiration of the maximum period of stay permitted under section 11222(a)(2) of this title if such individual commences such stay before reaching 22 years of age;
B. for whom it is not possible to live in a safe environment with a relative; and
C. who has no other safe alternative living arrangement.

DEFINITION OF *RUNAWAY*

According to RHYA section 387(4), the term "runaway," used with respect to a youth, means an individual who is less than 18 years of age and who absents himself or herself from home or a place of legal residence without the permission of a parent or legal guardian.

DEFINITION OF *STREET YOUTH*

According to RHYA section 387(6), the term "street youth" means an individual who–

A. is–
   i. a runaway youth; or
   ii. indefinitely or intermittently a homeless youth; and
B. spends a significant amount of time on the street or in other areas that increase the risk to such youth for sexual abuse, sexual exploitation, prostitution, or drug abuse.

DEFINITION OF *YOUTH AT RISK OF SEPARATION FROM THE FAMILY*

According to RHYA section 387(8), the term "youth at risk of separation from the family" means an individual–

A. who is less than 18 years of age;
B. and–
   i. who has a history of running away from the family of such individual;
   ii. whose parent, guardian, or custodian is not willing to provide for the basic needs of such individual; or
   iii. who is at risk of entering the child welfare system or juvenile justice system as a result of the lack of services available to the family to meet such needs.

AGE CRITERIA

Given that the RHYA funds several programs, age criteria vary depending on the program type and the state in which the program operates. The Street Outreach Program (SOP) serves young people aged 21 and under. In general, the Basic Center Program (BCP) serves youth who are under 18 years of age, with exceptions made in states that allow programs to house minors and 19-year-olds together. The Transitional Living Program (TLP) and Maternity Group Home (MGH) Program serve young people aged 16 up to 22 as well as their dependent children, when applicable.

ELIGIBILITY AND PRIORITIZATION FOR SERVICES

Eligibility: RHYA program eligibility is determined by the statutory definition(s) of the categories of youth served by each RHYA program type and related age criteria. See the *Definitions Usage* section below for more information about each RHYA program type.

Prioritization: Neither the RHYA nor HHS mandates specific guidelines for prioritizing young people for RHYA program services. RHYA programs are encouraged to serve all young people in crisis who need assistance but may prioritize youth based on immediate safety concerns, vulnerability, and risk of exploitation or abuse in instances where a RHYA program is approaching capacity and not all youth requesting assistance can be served immediately.

DETERMINATIONS OF WHO MEETS THE DEFINITION: AUTHORIZED ROLE GROUP(S)

The RHYA does not mandate specific role groups who must determine who meets the RHYA definition of *homeless* or other relevant statutory terms; rather, each RHYA-funded program establishes its own policies and practices based on statutory requirements. Eligibility determinations typically are made by outreach workers, program intake staff, and case managers, with programs encouraged to serve all young people requesting assistance who meet program-specific eligibility criteria.

DEFINITIONS USAGE

Key RHYA programs and their corresponding definitions are as follows:

- **The Street Outreach Program (SOP):** The SOP works with homeless, runaway, and street youth aged 21 and under to help them find stable housing and services. The SOP uses the RHYA definitions of *homeless youth, runaway youth,* and *street youth*.
- **The Basic Center Program (BCP):** The BCP helps create and strengthen community-based programs that meet the immediate needs of runaway and homeless youth under 18 years old. In addition, BCP tries to reunite young people with their families or locate appropriate alternative placements. The BCP uses the RHYA definitions of *homeless youth, runaway youth,* and *youth at risk of separation from the family*.
- **The Transitional Living Program (TLP):** The TLP provides long-term residential services to homeless youth aged 16 up to 22. The TLP uses the RHYA definition of *homeless youth.*
- **The Maternity Group Home (MGH) Program:** The MGH Program supports transitional living arrangements for pregnant or parenting homeless youth aged 16 up to 22 as well as their dependent children. The MGH Program uses the RHYA definition of *homeless youth.*

USE CASES: APPLYING KNOWLEDGE OF FEDERAL DEFINITIONS OF HOMELESSNESS

By understanding different federal definitions of homelessness and how they interact, educators and service providers can better collaborate across systems to ensure children, youth, and families experiencing homelessness receive comprehensive support. Consider the following ways that school and community partners can apply knowledge of federal definitions of homelessness in their daily work.

USE CASES FOR SCHOOLS

Educators—including local liaisons, school social workers, and systems/services navigators—who understand the HUD and HHS definitions of homelessness and related programs will be better equipped to:

- make appropriate referrals to cross-system partners who provide services not available in school settings;
- help youth and families understand and navigate complex eligibility requirements across systems and programs;
- advocate effectively for access to housing and supportive services for youth and families in need;
- assess and document eligibility for HUD-funded programs for youth and families who meet the HUD definition of homelessness; and
- participate more effectively in coordinated community responses to homelessness.

USE CASES FOR COMMUNITY PARTNERS

Community partners—including outreach and intake personnel, case managers, and systems/services navigators—who understand the education definition of homelessness will be better positioned to:

- identify and refer children and youth to school district local liaisons for educational and other school-based supports,
- understand the role of education in preventing and ending youth and family homelessness,
- collaborate with schools to support educational access and success as part of comprehensive housing and service plans for families and youth, and
- participate more effectively in coordinated community responses to homelessness.

REFERENCES

Continuum of Care Program. 24 C.F.R. § 578 *et seq*. (2024). https://www.govinfo.gov/content/pkg/CFR-2024-title24-vol3/pdf/CFR-2024-title24-vol3-sec578-3.pdf

Runaway and Homeless Youth Act, Juvenile Justice and Delinquency Prevention Act subchapter III section 387 *et seq*. https://acf.gov/fysb/law-regulation/runaway-and-homeless-youth-program-authorizing-legislation

Subtitle VII-B of the McKinney-Vento Homeless Assistance Act, McKinney-Vento Act section 721 *et seq*. http://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter119/subchapter6/partB&edition=prelim

Title I of the McKinney-Vento Homeless Assistance Act, McKinney-Vento Act section 103 *et seq*. https://www.hud.gov/sites/documents/haaa_hearth.pdf

U.S. Department of Education. (2018). *Education for Homeless Children and Youths program non-regulatory guidance.* https://www.ed.gov/sites/ed/files/2020/07/160240ehcyguidanceupdated082718.pdf

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Every state is required to have a state coordinator for homeless education and every school district is required to have a local homeless education liaison. These individuals oversee the implementation of the McKinney-Vento Act. To find out who your state coordinator is, visit the NCHE website.

For more information on issues related to the education of children and youth experiencing homelessness, contact the NCHE helpline at 305-306-8495 or NCHE.helpline@safalpartners.com.

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